

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA  
WHEELING**

**PNC BANK, NATIONAL ASSOCIATION,  
successor to NATIONAL CITY BANK,**

Plaintiff,

v.

**Civil Action No. 1:10-CV-20  
(BAILEY)**

**AUGUSTA APARTMENTS, LLC,  
a West Virginia limited liability company.  
KRISTIAN E. WARNER, BENJAMIN F. WARNER,  
ANDREW M. WARNER, and  
MONROE P. WARNER,**

Defendants.

**ORDER STAYING CASE**

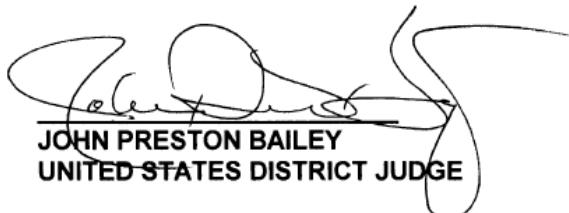
Currently pending before this Court are Plaintiff's Emergency Motion to Appoint Receiver [Doc. 5], Defendants' Application for Pro Hac Vice Admission of Attorneys [Doc. 10], Defendants' Motion to Dismiss [Doc. 12], Defendants' Application for Admission Pro Hac Vice [Doc. 13], and First United Bank and Trust's Motion to Intervene [Doc. 11]. In recognition of the filing of bankruptcy filed by Augusta Apartments, the automatic stay provisions of 11 U.S.C. § 362 are now in effect. Accordingly, this action must be stayed until the automatic stay is lifted.

For the reasons stated above, this Court hereby **STAYS** this action until such time as the automatic stay expires or is lifted.

It is so **ORDERED**.

The Clerk is directed to transmit copies of this Order to all counsel of record herein.

**DATED:** February 19, 2010

  
**JOHN PRESTON BAILEY**  
**UNITED STATES DISTRICT JUDGE**